



DEPARTMENT OF STATE  
BRIEFING MEMORANDUM

S/S

7910801

*S/R*  
*Ans DC*  
*PCh.*

June 15, 1979

*File*  
*Argentina*

TO: The Secretary  
FROM: HA - Patricia M. Derian

*P*

Study Mission to Argentina by the Association of  
the Bar of the City of New York

Attached is a copy of the report of the New York Bar's study mission, led by Orville Schell, which visited Argentina in April. The report confirms many of the grim accounts we have received from many other sources about the human rights situation in Argentina.

The report reviews Argentina's State of Siege provision, concluding that extended PEN (National Executive Power) detentions are "highly questionable." It also states that the regime is without authority to deny prisoners the constitutionally guaranteed "right of option" -- the right to choose exile rather than political imprisonment. It discusses prison conditions and the role, so far quite limited, of the Argentine bar and judicial system in challenging or restricting abuses. It is generally pessimistic about future progress.

The most significant part of the report, however, is its review of the situation of Argentina's "disappeared," whose ranks include numerous lawyers:

"There is no question that since March 24, 1976, groups of armed people serving in military, police, or other state security forces have abducted thousands of people, subjecting most of the victims to torture, killing many, holding others in concentration camps or other secret places, and withholding from their families and all the world word either of their whereabouts or of whether they remain alive." (p. 26).

The report terms the fate of the "disappeared" "the most starkly brutal human rights violations in Argentina or, indeed, almost anywhere in the world that seeks to be

civilized." There has been no accounting on the missing, and the report sees few signs of progress in government circles toward curbing the practice or even facing the problem (pp. 31, 36). Disappearances continue (p. 27).

Attachment:

Report of the Mission  
of Lawyers to Argentina  
April 1-7, 1979

Drafted:HA:DMartin  
x22741

~~CONFIDENTIAL~~  
Department of State

INCOMING  
TELEGRAM

PAGE 01      BUENOS 08257 080648Z  
ACTION RP-10

3200

INFO OCT-01 ARA-11 10-14 ADS-00 SR-04 TRSE-00 OMB-01  
ABF-01 CIAE-00 INR-10 NSAE-00 AID-05 L-03 SS-15  
SP-02 HA-05 NSC-05 /087 W

-----041550 080715Z /17

R 051956Z OCT 79  
FM AMEMBASSY BUENOS AIRES  
TO SECSTATE WASHDC 2673  
INFO USMISSION GENEVA

~~CONFIDENTIAL~~ BUENOS AIRES 8257

E.O. 12065: GDS 10/5/85 (DAVIS, VERA L.) OR-P  
TAGS: SREF UNHCR AR  
SUBJ: (U) INTERNATIONAL FUND FOR REFUGEE SETTLEMENT

REF: STATE 253764

1. ~~X~~ - ENTIRE TEXT.

2. OCTOBER 4 EMBOFFS DISCUSSED THE PROPOSAL FOR THE  
ESTABLISHMENT OF AN INTERNATIONAL FUND FOR REFUGEE  
SETTLEMENT AND LEFT AIDE MEMOIRE WITH WORKING LEVEL  
CONTACTS AT THE FOREIGN MINISTRY. THE ARGENTINES WERE  
SYMPATHETIC, BUT NON-COMMITTAL. THEY MENTIONED THE  
5,000 INDOCHINESE REFUGEES RECENTLY ADMITTED BY  
ARGENTINA AS EVIDENCE OF THE GOA'S INTEREST IN THIS  
PROBLEM AND SUGGESTED THAT THIS SHOULD NOT BE FORGOTTEN  
WHEN THE UNHCR EXECUTIVE COMMITTEE MEETS NEXT WEEK.  
CASTRO

Declassified Case: 100-82823 Date:  
11-02-2013

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INCOMING  
TELEGRAM

PAGE 01 BUENOS 00029 272111Z

5586

BUENOS 00029 272111Z

ACTION RP-07

INFO OCT-01 ARA-11 ADS-20 SSO-00 IO-14 VO-05 CIAE-00  
MSAE-00 FBIE-00 0038 V

-----098347 272116Z /65

O R 271927Z SEP 75  
FM AMEMBASSY BUENOS AIRES  
TO SECSTATE USHOC IMMEDIATE 2576  
INFO INS/CO WASHDC  
UNMISSION GENEVA

~~LIMITED OFFICIAL USE~~ BUENOS AIRES 0029

STATE FOR S/RP (AILEEN ROBINSON), ARA/ECA

INS/GO FOR INS/COSAP (MR. POTTER)

E.O. 12065: N/A

TAGS: CIVIS CREF SHUM AR

SUBJ: HEMISPHERIC PAROLE PROGRAM: REQUEST FOR VOLAG, CASE OF VICTOR  
MIGUEL PEREZ-FERNANDEZ, 127/78

REF: 76 BUENOS AIRES 5371

1. UNHCR BUENOS AIRES INFORMED EMBASSY ON SEPT 26, 1979  
THAT SUBJECT HAS BEEN MANDATED BY THE UN AND IS SEEKING  
RESETTLEMENT IN THE UNITED STATES. THE GOVERNMENT OF  
ARGENTINA HAS ORDERED HIS EXPULSION TO HIS COUNTRY OF BIRTH,  
CHILE, AND HIS FAMILY IS VERY CONCERNED FOR HIS SAFETY IF  
THIS SHOULD TAKE PLACE.

2. BIOGRAPHICAL DATA: VICTOR MIGUEL PEREZ-FERNANDEZ, DPOB:  
OCT 14, 1945, SANTIAGO, CHILE. WIFE: ANA MARIA BEIRAC DE  
PEREZ, DPOB: JUNE 3, 1953, MENDOZA, ARGENTINA. CHILDREN:  
VICTOR MIGUEL PEREZ, DPOB: DEC 11, 1970, MENDOZA, ARGENTINA  
AND MARIA ALEJANDRA PEREZ, DPOB: OCT 12, 1972, MENDOZA, ARGENTINA.  
3. VICE CONSUL KENNETH F. SACKETT INTERVIEWED MR.  
PEREZ AT LA PLATA PRISON AND FOLLOWING IS HIS REPORT:  
QUOTE MR. VICTOR MIGUEL PEREZ-FERNANDEZ WAS BORN IN  
SANTIAGO, CHILE IN 1945. HE LIVED IN SANTIAGO UNTIL THE  
AGE OF 18 WHEN HIS FAMILY MOVED TO MENDOZA, ARGENTINA WHERE  
HE LIVED UNTIL 1974 WHEN HE MOVED TO BUENOS AIRES. MR.  
PEREZ IS MARRIED AND HAS TWO CHILDREN.

4. MR. PEREZ DROPPED OUT OF SCHOOL AFTER COMPLETING THE  
7TH GRADE AND STARTED WORKING AS A CARPENTER. FROM 1962  
UNTIL 1975 HE WORKED FOR A NUMBER OF CONSTRUCTION COMPANIES  
IN THE MENDOZA AREA. WHILE IN MENDOZA HE WAS A MEMBER OF  
THE SINDICATO DE LA CONSTRUCCION (CONSTRUCTION WORKERS'  
UNION) BUT HELD NO UNION OFFICES NOR PARTICIPATED IN ANY  
UNION ACTIVITIES. IN 1975 MR. PEREZ-FERNANDEZ MOVED TO  
BUENOS AIRES WHERE HE WORKED AS AN INDEPENDENT CARPENTER  
ON A NUMBER OF BUILDING PROJECTS.

5. MR. PEREZ IS NOT PARTICULARLY POLITICALLY ACTIVE. HE  
WASN'T A MEMBER OF A POLITICAL PARTY BUT STATED THAT HE  
DID PREFER THE PERONIST PARTY. HIS ONLY POLITICAL ACTIVITIES  
INVOLVED A NEIGHBORHOOD CAMPAIGN IN MENDOZA IN 1973. MR.  
PEREZ HAS NEVER VOTED. HE STATED THAT HE PREFERS A DEMO-  
CRATIC FORM OF GOVERNMENT BECAUSE IT GIVES THE PEOPLE A  
BIGGER VOICE IN RUNNING THE COUNTRY.

6. IN DECEMBER 1975, MR. PEREZ-FERNANDEZ CUT HIS WRIST  
WHILE WORKING ON AN APARTMENT BUILDING AND WAS LAYED OFF.  
DUE TO THE SEVERITY OF THE CUT HE COULD NOT DO ANY HEAVY  
CONSTRUCTION WORK AND STARTED SEARCHING FOR A SMALL REPAIR  
JOB THAT WOULDN'T INVOLVE HEAVY LABOR. A FRIEND FOUND HIM  
A JOB REPAIRING A HOUSE IN LOICAMP. IT WAS A ONE MAN JOB

THAT WOULD TAKE APPROXIMATELY TWO WEEKS TO COMPLETE. THE  
HOUSE BELONGED TO A MAN NAMED JAINE VILLANARIN. MR. PEREZ  
DID NOT KNOW MR. VILLANARIN BUT THOUGHT HE POSSIBLY WAS A  
LABOR LEADER. MR. PEREZ-FERNANDEZ REPORTED TO WORK AT MR.  
VILLANARIN'S HOUSE ON DECEMBER 19, 1975. THAT SAME MORNING  
THE HOUSE WAS RAIDED BY A GROUP OF ARMED MEN IN CIVILIAN  
CLOTHING. MR. PEREZ-FERNANDEZ, MR. VILLANARIN, MRS.  
VILLANARIN AND MR. VILLANARIN'S UNCLE WERE ARRESTED, BLIND-  
FOLDED AND TAKEN TO AN UNKNOWN LOCATION FOR QUESTIONING.  
ALL FOUR WERE TORTURED FOR 27 DAYS. DURING THE TORTURING  
MR. VILLANARIN WENT INSANE AND HIS UNCLE DIED FROM THE  
MISTREATMENT. AFTER 27 DAYS MR. PEREZ WAS TRANSFERRED TO  
LA PLATA PRISON. MR. PEREZ-FERNANDEZ HAD NEVER BEEN  
ARRESTED BEFORE AND FELT HIS ARREST WAS DUE TO THE FACT  
THAT HE HAPPENED TO BE AT MR. VILLANARIN'S HOUSE WHEN IT  
WAS RAIDED. HE COULD THINK OF NO OTHER REASON FOR HIS  
ARREST.

7. MR. PEREZ-FERNANDEZ HAS TWICE REQUESTED OPTION, 1977 AND  
1978, BOTH REQUESTS WERE REFUSED.

8. IF ALLOWED TO TRAVEL TO THE UNITED STATES, MR. PEREZ  
WOULD LIKE TO TRAVEL WITH HIS WIFE AND TWO CHILDREN. THEY  
HAVE NO FAMILY IN THE UNITED STATES AND DO NOT HAVE THE  
MONEY FOR PASSAGE TO THE U.S. MR. PEREZ-FERNANDEZ APPEARS  
MENTALLY AND PHYSICALLY HEALTHY.

9. THE CONSULAR OFFICER RECOMMENDS THAT A CERTIFICATE OF  
ACCEPTABILITY BE ISSUED AND APPLICATION FOR PAROLE INTO THE  
UNITED STATES BE APPROVED FOR MR. VICTOR MIGUEL PEREZ-FERNANDEZ. ALL  
BACKGROUND CHECKS WERE NEGATIVE AND THE PERSONAL INTERVIEW  
DEVELOPED NO DEROGATORY INFORMATION. UNQUOTE.

10. THE RECOMMENDATION OF THE CONSULAR OFFICER'S REPORT  
WAS AFFIRMED BY INS OFFICER P. A. REYES.

11. THE FOLLOWING "M" FILE NUMBERS HAVE BEEN ASSIGNED:  
VICTOR MIGUEL PEREZ-FERNANDEZ A-24 499 410  
ANA MARIA BEIRAC DE PEREZ A-24 499 411  
VICTOR MIGUEL PEREZ A-24 499 412  
MARIA ALEJANDRA PEREZ A-24 499 413

12. S/RP: PLEASE REQUEST THE ASSIGNMENT OF A VOLUNTARY  
AGENCY FROM ACVA AND CABLE THE ASSURANCE AS SOON AS  
POSSIBLE.

13. DECONTROL UPON RECEIPT.  
CASTRO

Declassified Case: ON: 52829 Date:  
11-02-2013

CONFIDENTIAL  
Department of State

INCOMING  
TELEGRAM 8

PAGE 01 BUENOS 07849 211536Z  
ACTION ARA-10

1261

BUENOS 07849 211536Z

INFO OCT-01 SS-14 ADS-00 HSCE-00 SP-02 L-01 SY-WZ  
SYE-00 MCT-01 INR-05 CIAE-00 DODE-00 SR-01  
SSO-00 /037 W -----049327 211554Z /53

O 211536Z SEP 79  
FM AMEMBASSY BUENOS AIRES  
TO SECSTATE WASHDC NIACI IMMEDIATE 2493

~~CONFIDENTIAL~~ BUENOS AIRES 7849

LIMDIS

FOR ASSISTANT SECRETARY VAKY FROM AMBASSADOR CASTRO

E.O. 12065: GDS 9-21-85 (CHAPLIN, MAXWELL) OR-M  
TAGS: SHUN AR  
SUBJ: (C) TIMERMAN CONDITIONAL REQUEST FOR REFUGE

1. ~~CONFIDENTIAL~~ ENTIRE TEXT.

2. ON THE AFTERNOON OF SEPTEMBER 20 THE AMBASSADOR RECEIVED A VISIT FROM RABBI MARSHALL MEYER, WHO MINISTERS TO JACOBO TIMERMAN. HE HAD BROUGHT WITH HIM A TYPED MESSAGE FROM TIMERMAN WHICH THE LATTER HAD DELIVERED TO HIM DURING A VISIT THAT AFTERNOON. THE MEMORANDUM WAS IN TYPED FORM SINCE TIMERMAN ASSUMES HIS APARTMENT IS UNDER ELECTRONIC SURVEILLANCE, AND HE CANNOT DISCUSS MATTERS OPENLY WITH HIS RABBI. THE MEMORANDUM DEALS WITH THE POSSIBILITY THE GOA MAY GRANT TIMERMAN LIBERTY BUT WILL NOT PROVIDE HIM WITH A PASSPORT TO LEAVE THE COUNTRY. HE ANTICIPATES THE POSSIBILITY THAT THE GOVERNMENT WILL SIMPLY WITHDRAW POLICE PROTECTION FROM HIS APARTMENT WHICH, HE BELIEVES, WOULD BE EQUIVALENT TO A SENTENCE OF DEATH. HE OBSERVES THAT AS A MATTER OF FACT SINCE SEPTEMBER 17 WHEN THE ARMY LEARNED OF THE COURT'S DECISION, THE GUARD ON HIS HOUSE HAD BEEN TRIPLED AND THE POLICE COMISARIO TOLD HIS BROTHER THEY HAD RECEIVED INFORMATION THAT HIS KIDNAPPING WAS BEING PLANNED BY SOME GROUP.

3. THE MEMORANDUM CONTINUES THAT IF HE IS FREED BUT NOT GRANTED A PASSPORT, HE WILL HAVE TO LEAVE HIS APARTMENT. HE SAYS HE COULD GO TO THE ISRAELI EMBASSY BUT IT IS AN UNPLEASANT PLACE WHICH WOULD BE DIFFICULT FOR HIM AND HE WOULD PREFER TO STAY IN THE U.S. EMBASSY RESIDENCE. HE SAYS SINCE HE WOULD BE A FREE MAN, IT WOULD NOT BE A QUESTION OF ASYLUM BUT SIMPLY OF BEING AN INVITED GUEST. THE MEMO INDICATES HE BELIEVES THAT THE WASHINGTON ATMOSPHERE IS SUCH THAT U.S. OFFICIALS WOULD LOOK FAVORABLY ON HIS TAKING REFUGE IN THE EMBASSY RESIDENCE.

4. TIMERMAN STATES THAT IF HE IS GRANTED A PASSPORT, THERE IS NO PROBLEM BECAUSE HE WOULD BE SENT TO THE AIRPORT ACCOMPANIED BY AN ARMY OF POLICE.

5. AMBASSADOR CASTRO CONSIDERS THAT THE CONTINGENCY FEARED BY TIMERMAN IS HIGHLY UNLIKELY, AT LEAST IN THE NEXT FEW DAYS. THE JUNTA IS MEETING MONDAY AND TUESDAY, ACCORDING TO VIOLA, AND HE ASSUME IT WILL DISCUSS TIMERMAN THEN. AMBASSADOR HAS TENTATIVE APPOINTMENT TO SEE VIOLA ON WEDNESDAY, SEPTEMBER 26. DESPITE THE IMPROBABILITY OF THE CONTINGENCY, IT CANNOT BE ENTIRELY DISCOUNTED. SHOULD TIMERMAN BE FREED AND PROTECTION WITHDRAWN, AMBASSADOR PROPOSES TO INVITE HIM TO REMAIN AT THE RESIDENCE AS AN INVITED GUEST AND TO TRANSPORT HIM TO THE RESIDENCE (AND PRESUMABLY

SUBSEQUENTLY TO THE AIRPORT) IN HIS OFFICIAL ARMORED VEHICLE. AT THE SAME TIME, EMBASSY WOULD MAKE A FORCEFUL REQUEST TO PRESIDENT, GENERAL VIOLA AND MINISTER OF INTERIOR TO PROVIDE MAXIMUM SECURITY TO RESIDENCE. HE BELIEVE SUCH SECURITY WOULD BE PROVIDED.

6. WHILE WE REPEAT THIS CONTINGENCY SEEMS REMOTE, AMBASSADOR WISHES REASSURANCE THAT DEPARTMENT DOES NOT OBJECT TO HIS PROPOSED OFFER OF HOSPITALITY AND REFUGE TO JACOBO TIMERMAN SHOULD THAT SEEM ADVISABLE. CASTRO

*File  
ARGENTINA*

Declassified Case: 17- 52229 Date: 11-02-2018

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Department of State

INCOMING  
TELEGRAM -

8563

PAGE 01  
ACTION HA-05

GENEVA 13978 240443Z

*Phil C.*

INFO OCT-01 ARA-11 10-14 ADS-00 RP-07 /038 W

-----104722 240535Z /73

R 221627Z AUG 79

FM USMISSION GENEVA

TO SECSTATE WASHDC 7039

INFO AMEMBASSY BUENOS AIRES

*File  
ALBERT/1009*

~~CONFIDENTIAL~~ GENEVA 13978

E.O. 12065: GDS 8/22/84 (HOYT, MICHAEL P.E.) OR-O

TAGS: SHUM, SREF, ICRC, AR

SUBJECT: USF FINANCIAL SUPPORT FOR ICRC PROGRAM IN  
ARGENTINA

REF: GENEVA 13486

1. ~~1~~ - ENTIRE TEXT)
2. REQUEST REPLY TO REFTEL. SORENSON

Declassified Case: NW 52823 Date:  
11-02-2013

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Department of State

OUTGOING  
TELEGRAM

PAGE 01 STATE 208294

7846

STATE 208294

ORIGIN ~~SR-10~~

INFO OCT-00 ARA-11 ADS-00 HA-05 VO-05 CA-01 INSE-00  
SSD-00 S1G-03 HMO-01 /030 R

REFTEL (D) CAREFULLY WHEN PROCESSING REFUGEE PAROLE  
CASES.  
COOPER

DRAFTED BY S/RP - AVROBINSON  
APPROVED BY S/RP - CRUSSELL  
ARA/ECA - J. AHRE  
CA/VO - SUE PATTERSON (SUBS)  
INS/CO - N. EBAUGH (PHONE)  
S/RP - L. MARINELLI

-----807130 102035Z /75

O P 101846Z AUG 75  
FM SECSTATE WASHDC  
TO AMCONSUL RIO DE JANEIRO IMMEDIATE  
INFO AMEMBASSY BUENOS AIRES PRIORITY  
AMEMBASSY BRASILIA  
AMEMBASSY BOGOTA  
AMEMBASSY CARACAS  
AMEMBASSY LIHA  
AMEMBASSY MONTEVIDEO  
AMEMBASSY SANTIAGO  
AMEMBASSY ASUNCION  
AMEMBASSY LA PAZ  
AMEMBASSY QUITO  
AMEMBASSY PARAMARIBO  
AMCONSUL SAO PAULO

~~CONFIDENTIAL~~ STATE 208294

E.O. 12055: GDS 8/8/85 (RUSSELL, CHRIS) S/RP

TAGS: SHUM, SREF, CVIS, AR

SUBJECT: HEMISPHERIC PAROLE PROGRAM - PROCEDURES FOR  
PROCESSING REFUGEE PAROLE CASES

REF: (A) MEMO DATED 7/11/79; (B) MEMO DATED 7/12/79;  
(C) MEMO DATED 6/27/79; (D) STATE 153083

1. PER GUIDELINES CONTAINED IN REFTEL (D), IF A CASE IS  
CONDITIONALLY APPROVED BY THE CONSULAR OFFICER, THE APPLI-  
CANT IS GIVEN A LIST OF REQUIRED DOCUMENTS WITH  
CERTIFICATES, ETC. HE IS THEN INTERVIEWED BY AN IMMIGRATION  
OFFICER. IF THE IMMIGRATION OFFICER CONCURS WITH THE  
CONSULAR OFFICER'S RECOMMENDATION, THE CASE WILL BE  
APPROVED. HOWEVER, IF THERE IS A DIFFERENCE OF OPINION  
BETWEEN THE CONSULAR OFFICER AND IMMIGRATION OFFICER THEN,  
AND ONLY THEN, SHOULD A CASE BE SUBMITTED TO DEPARTMENT  
(S/RP) FOR CONSULTATION WITH THE DIRECTOR OF INS' OFFICE OF  
REFUGEE AND PAROLE.

2. IN VIEW OF THE FOREGOING, DEPARTMENT IS UNABLE TO UNDER-  
STAND REASON EMBASSY HAS FORWARDED CASES OF MARIO DANIEL  
LORENZO, CARLOS OMAR RUDA, AND JUAN CARLOS FERRIOLO TO  
DEPARTMENT AND INS/CO FOR FURTHER PROCESSING. EACH OF  
THESE CASES HAS BEEN RECOMMENDED FOR APPROVAL BY BOTH  
OFFICERS.

3. EMBASSY IS REQUESTED TO REVIEW AGAIN GUIDELINES  
CONTAINED IN REFTEL (D) REGARDING PROCEDURES FOR PROCESSING  
REFUGEE PAROLE CASES. IF FURTHER GUIDANCE IS NEEDED,  
PLEASE CONTACT KEITH SACKETT OR CAROLE BARRISH AT OUR  
EMBASSY IN BUENOS AIRES OR AILEEN ROBINSON (S/RP) IN THE  
DEPARTMENT.

4. DEPARTMENT HAS FORWARDED THE FILES OF MESSRS. LORENZO,  
RUDA AND FERRIOLO TO ACVA FOR ASSIGNMENT TO THE VOLUNTARY  
AGENCIES.

5. FOR ALL POSTS: PLEASE FOLLOW GUIDELINES CONTAINED IN

*File  
Argentina*

*Chicla  
Pls. explain  
to me the  
9000 lines  
go*

Declassified Case: INW- 50829 Date:  
11-02-2012

~~CONFIDENTIAL~~

~~CONFIDENTIAL~~

Department of State

INCOMING  
TELEGRAM

6930

PAGE 01 GENEVA 13486 101559Z  
ACTION HA-05

INFO OCT-01 ARA-11 IO-14 ADS-00 AID-05 SR-10 OMB-01  
TRSE-00 /047 W

-----005470 101611Z /64

P 101556Z AUG 79  
FM USMISSION GENEVA  
TO SECSTATE WASHDC PRIORITY 6780  
INFO AMEMBASSY BUENOS AIRES

~~CONFIDENTIAL~~ GENEVA 13486

E.O. 12065: GDS 8/10/84 (HOYT, MICHAEL P.E.) OR-O  
TAGS: SHUM, SREF, ICRC, AR  
SUBJECT: USF FINANCIAL SUPPORT FOR ICRC PROGRAM IN  
ARGENTINA

REF: STATE 168898

1. ~~1~~ - ENTIRE TEXT)

2. MISSION CONFIRMED WITH ICRC THAT FIGURE OF 550,000  
SWISS FRANCS REMAINS THE CURRENT SHORTFALL IN THIS  
YEAR'S ARGENTINE PRISONER VISITOR PROGRAM. ICRC WILL  
SHORTLY PROVIDE US AND DONORS WITH CURRENT REPORT OF  
PROGRESS AND STATUS OF EXPENDITURES.

3. WHAT IS STATUS OF FUNDS "HOPED" FOR IN REFTEL?  
VANDEN HEUVEL

*File  
ARGENTINA*

Declassified Case: NW 52829 Date:  
11-02-2013

~~CONFIDENTIAL~~